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TENSYLON H.P. MATERIAL, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DSM DYNEEMA,

Plaintiff,

v.

BAE SYSTEMS TENSYLON H.P.
MATERIAL, INC.,

Defendant.

Case No. CV 10-5466 RS

STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING DATE TO RESPOND;
CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE
(LR 6-2; 7-12)

1 Pursuant to Local Rules 6-2 and 7-12, Plaintiff DSM Dyneema (“DSM”) and Defendant
2 BAE Systems Tensylon H.P. Material, Inc. (“BAE Systems”), by and through their respective
3 counsel of record, hereby submit this Stipulation and Proposed Order seeking a continuance of (1)
4 the deadline for BAE Systems to answer or otherwise respond to the Complaint, (2) the Initial
5 Case Management Conference, and (2) other associated deadlines.

6 WHEREAS, BAE Systems’s time to answer or otherwise respond to the First Amended
7 Complaint (“FAC”) in this action is March 9, 2011;

8 WHEREAS, the Initial Case Management Conference in this action is currently set for
9 March 24, 2011 under the Court’s December 8, 2010 Scheduling Order;

10 WHEREAS, the last day to file the Joint Case Management Statement and serve Initial
11 Disclosures is March 17, 2011;

12 WHEREAS, multiple events required by the Local Patent Rules are calendared from the
13 date of the Initial Case Management Conference, including the disclosure of asserted claims and
14 infringement contentions, which are due on April 7, 2011 under the current schedule;

15 WHEREAS, the parties are currently engaged in meaningful settlement discussions that
16 have been ongoing and productive;

17 WHEREAS, the parties have entered prior stipulations to allow DSM to file the FAC and
18 to extend BAE Systems’s time to answer or otherwise respond (on December 21, 2010, January
19 4, 2011, and January 27, 2011);

20 WHEREAS, this would be the second extension of time for BAE Systems to answer or
21 otherwise respond to the FAC;

22 WHEREAS, the parties agree that a further extension of time for BAE Systems to respond
23 to the complaint and a continuation of the Initial Case Management Conference, and associated
24 deadlines, will foster fruitful settlement discussions by allowing the parties to avoid the expense
25 of further litigation and the use of judicial resources while settlement discussions continue;

26 THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT:

27 The Initial Case Management Conference, presently scheduled for March 24, 2011, be
28 continued to April 21, 2011 at 10:00 a.m., or as soon thereafter as the Court’s schedule will allow,

1 and that the associated deadlines set forth in the December 8, 2010 Scheduling Order and the
2 Local Patent Rules be continued accordingly; and

3 The date for BAE Systems to answer or otherwise respond to the FAC is continued to
4 March 30, 2011.

5 **IT IS SO STIPULATED.**

6
7 March 4, 2011

PERKINS COIE LLP

8
9 By: /s/ Christopher Kao¹
Christopher Kao

10 Attorneys for Defendant BAE SYSTEMS
11 TENSYLON H.P. MATERIAL, INC.

12 March 4, 2011

**QUINN EMANUEL URQUHART &
SULLIVAN, LLP**

14 By: /s/ Karin Kramer
15 Karin Kramer

16 Attorneys for Plaintiff DSM DYNEEMA.

17
18 **ORDER**

19 PURSUANT TO STIPULATION, IT IS ORDERED.

20 The Initial Case Management Conference is continued to April 21, 2011 at 10:00 a.m.
21 The deadlines set forth in the December 8, 2010 Scheduling Order of this Court and the Local
22 Patent Rules are continued accordingly. BAE Systems shall answer or otherwise respond to the
23 First Amended Complaint no later than March 30, 2011.

24
25 Dated: 3/7/11



26 The Hon. Richard Seeborg
27 United States District Judge

28 ¹ In compliance with General Order 45.X.B, I hereby attest that concurrence in the filing of the document has been obtained from each signatory hereto.